

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No: 08 CR 515
)	
v.)	Judge Ruben Castillo
)	
ROBERT J. WEINSTEIN,)	
)	
Defendant.)	
)	

DEFENDANT ROBERT WEINSTEIN'S MOTION TO FILE EXHIBIT B UNDER SEAL

Defendant Robert Weinstein, by his attorneys, hereby requests pursuant to Local Rule 26.2 that the Court file under seal Exhibit B to his Motion for Immediate Disclosure of Exculpatory and Impeachment Evidence and Motion for Production of Agents' Notes ("Defendant's Motion).

1. Defendant's Motions move the Court to order the government to provide certain materials to the defense. Exhibit B to both of these motions is the same document: an August 6, 2008 letter drafted by counsel for Dr. Weinstein to counsel for the United States regarding the pre-trial disclosure of certain evidence.

2. The letter attached the Defendant's Motions as Exhibit B reveals various topics discussed during the numerous proffer sessions between the government and Dr. Weinstein. As will be raised with the Court at upcoming September 3, 2008 status hearing, the parties intend to enter into a protective order relating to the discovery materials disclosed in this case, including materials related to Dr. Weinstein's proffer sessions. Because the August 6, 2008 letter contains statements about those discovery materials and topics addressed therein, good cause exists to place this letter under seal.

3. Defendant Weinstein respectfully requests that the Court grant this Motion to File Under Seal. A proposed Order is attached hereto as Exhibit A. After the Court executes the Order to File Under Seal, a full copy of Exhibit B will be filed with the Clerk of Court pursuant to Local Rules 26.2 and 5.8.

Dated: August 29, 2008

Respectfully submitted,

/s/ Vincent J. Connelly

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EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT J. WEINSTEIN,

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Case No: 08 CR 515

Judge Ruben Castillo

ORDER TO FILE UNDER SEAL

Based on the motion of Defendant Robert J. Weinstein to file under seal Exhibit B to his Motion for Immediate Disclosure of Exculpatory and Impeachment Evidence and his Motion for Production of Agents' Notes, IT IS HEREBY ORDERED Defendant's motion is granted.

Exhibit B to Defendant Weinstein's Motions for Immediate Disclosure of Exculpatory and Impeachment Evidence and Production of Agents' Notes is restricted pursuant to Local Rule 26.2. At the conclusion of the case, the document will be disposed of pursuant to Local Rule 26.2(g).

So ordered this _____ day of August, 2008.

BY THE COURT:

RUBEN CASTILLO
United States District Judge